

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAUL DIAZ,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 18-CV-1996
	:	
UNIT MANAGER LIQUIS, <i>et al.</i>,	:	
Defendants.	:	

ORDER

AND NOW, this 21st day of November, 2018, upon consideration of *pro se* Plaintiff Raul Diaz's Amended Complaint (ECF No. 17), it is **ORDERED** that:

1. The Amended Complaint is **DISMISSED** for the reasons stated in the Court's Memorandum. Diaz's due process claims regarding the revocation of his single-cell status and his placement in the RHU, as well as his claims regarding the loss of his property, are **DISMISSED with prejudice**. Any claims regarding violations of his right to access the courts are **DISMISSED without prejudice** to Diaz's right to file a second amended complaint, as set forth below.

2. Diaz is given leave to file a second amended complaint within thirty (30) days of the date of this Order with respect to any claims that his right to access the courts was violated by the destruction of his legal papers. If Diaz files a second amended complaint, he must identify all of the defendants in the caption of the amended complaint. The second amended complaint must also provide as much identifying information for the defendants as possible. Diaz may refer to a defendant by last name only if that is the only identifying information possessed. If Diaz wishes to name individuals for whom he does not have any identifying information, he may refer to those individuals as John Doe #1, John Doe #2, etc. The second

amended complaint must also describe how each defendant was responsible for violating Diaz's right to access the courts. Upon the filing of a second amended complaint, the Clerk of Court shall not make service until so **ORDERED**.

3. The Clerk of Court is **DIRECTED** to send Diaz a blank form complaint to be used by a prisoner filing a civil rights action. The Clerk of Court shall write the civil action number of this case on the form. Diaz may use this form to file his second amended complaint if he chooses to do so.

4. If Diaz fails to file a second amended complaint, his case may be dismissed without prejudice for failure to prosecute without further notice.

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.